

REMARKS

This continuing application was necessitated in view of the failure in the Advisory Action of May 28, 2003 to provide the required "explanation of how the new or amended claims would be rejected" which the Office is required to have "provided below or appended" by PTO Form 303 (Rev. 04-01) and which would enable applicant's appeal.

Applicants are relieved that at last the only remaining ground of rejection of the present application is now the 35 U.S.C § 103 rejection of claims 14, 16-20 and 22-36--and that as merely the "obvious" providing of "the cellular radio telephone in the steering wheel of Ishikawa et al with a voice controlled mechanism as taught by Dubus".

With respect, however, applicants have not presented a single claim of any such breadth or scope!

Further with respect, had the Office, in conformance with the rules of examining procedure, applied even a single exemplary claim, element-for-element upon the combined references, the fact that the claims are not of such breadth would have been evident.

In the present state of the record, indeed, applicants have not been informed as to where the Office finds the specific claim limitations in the references, and thus is at a serious handicap in framing an appeal, if ultimately necessary.

It is respectfully submitted that, in fairness, the finality of the rejection, should accordingly have been removed to provide applicants with such explanation.

In rejecting applicants' argument as to the impropriety of this ground of rejection, the Office has stated that:

- (1) "Dubus shows in figures 1-3 voice controlled switching mechanism 2 and 3 programmed with and responsive to a plurality of pre-designated separate voice commands for operation of 'entertainment deck' 8 and 9 and cellular radio telephone 12"; and
- (2) "applicants have not stated that Dubus does not show what Ishikawa et al is silent to—a voice-controlled switching mechanism".

There Is No Voice-Controlled Switching Whatsoever
Of Any Entertainment Deck Component in Dubus

Turning first to item (1), applicants, with respect, would point out that the Office is in complete error that the Dubus patent discloses any voice-controlled switching mechanism for switching on and off even a single component of an "entertainment deck", let alone one responsive to pre-designated separate voice commands, and further let alone commands spoken live from the steering wheel region of the vehicle.

The Office, it is believed, has misread the Dubus patent as to the purpose and function therein of what the Office characterizes as the 'entertainment deck' "8 and 9".

In the first place, neither the demodulator 8 nor the radio 9 is actually used in the Dubus system for any "entertainment deck" function. The radio 9 (suggested as a Phillips radio) is indeed actually deliberately rendered inoperative for its normal entertainment radio program reception entertainment function, and instead is used rather for its convenient existing amplifier-loudspeaker circuit only, and for the very different purpose of hearing the "radiotelephone 12...speech or digital data" (col. 4, lines 1-30, claim 8)!

Secondly, and even more important, there is absolutely no voice-controlled switch associated with either the demodulator 8 or the revamped radio 9, and absolutely no pre-designated voice command whatsoever that switches on either the demodulator 8 or the car radio 9 - - let alone such a command spoken live by the driver from the steering wheel region.

There simply is no voice command and control switching or even any suggestion of such for switching on or off the items 8 and 9, or any other entertainment deck component disclosed, suggested or even of any use in Dubus!

Yes--to answer the Office item (1) above--of course there is the use broadly of "a voice controlled switching mechanism" in Dubus - - and that for the cellular telephone, only; but this falls far short of applicants' specific claimed use of such command switching - on of the separate components of an "entertainment deck" as,

for example, in Claim 30, particularly as slightly amended just to eliminate redundancy and improve clarity and without raising any new issues whatsoever.

Claim 30 specifically calls for "separate control switches for turning each of said entertainment components on and off". There is no such disclosure in Dubus, and the Office has conceded that Ishikawa is admittedly "silent" on even the concept of any voice control. The claim further specifies a "voice-controlled switching means programmed with a predesignated voice command for operation "of the predetermined entertainment component, with such "voice-controlled" switching means programmed with a predesignated voice command for operation" of the predetermined entertainment component, and further with such "voice-controlled switching means being responsive to the driver speaking such predesignated voice command live at said steering wheel region for thereupon effecting the activating of the corresponding entertainment component control switch- -again, totally absent in Dubus.

The very same comments apply to Claim 25, similarly allowable, specifying voice control of all of the listed components; to Claim 31 (again amended to eliminate redundancy) and directed specifically to "storage-medium player/recorder components", and dependent Claim 32 adding the cellular telephone; and to Claim 35.

Claims 14, 16, 17, 18, 20 and 22 are also allowable, all dependent from allowable Claim 25, above, with Claims 14, 16 and 20 also adding optional switch buttons, and Claims 17 and 18 adding automatic playing after dictation.

In the event, on reconsideration, that the Office persists in this holding and believes it has not, as applicants suggest, misinterpreted the Dubus disclosure, it is respectfully requested that the Office point out exactly where the Dubus items 8 and 9 are switched on or off by any specific predesignated voice command, let alone a live command spoken from the steering wheel region, in order to aid applicants in preparation for an appeal, if required- -the Office having failed, as before stated, to try to apply a single claim, element for element, on the references.

There Is Also No Voice Controlled Switching
Of Both Any Entertainment Deck Component
And A Cellular Telephone in Dubus

Not only is there no disclosure, let alone any suggestion even of a voice-controlled command switching on and off of any "entertainment deck" component whatsoever in Dubus, but there is no provision for such supplemented also with cellular telephone voice-command switching.

Claim 28, for example, specifically requires both "vehicle radio entertainment deck components and a vehicle cellular radio telephone" with "separate control switches" for each entertainment deck component, and "a further control switch for enabling the activating and deactivating of the cellular radio telephone" - - all of these separate switches being voice-controlled and "responsive to said driver speaking such predesignated voice commands live at said steering wheel region for thereupon effecting the activating of the corresponding control switch".

The facility for voice-command switching of both entertainment deck components and voice-command switching of the telephone enables added features of applicants' invention, if desired, also totally absent in Dubus, in providing the capability, for example, of recording the driver's voice dictation on the tape of the entertainment deck recorder component, *while* at the same time transmitting the driver's voice dictation over the cellular telephone to a remote office; i.e.

"to transmit the dictation in real time to a remote location on station RS while recording the same in the tape deck 1...(with) the cellular telephone transmitter circuit (M' in Figs. 1 and 2)... to transmit the dictation over the air to the remote station(s) RS". (Page 12 of the specification).

This, of course, requires that the entertainment deck tape recorder component be turned on by the driver speaking live from the steering wheel region, the predesignated voice command word "RECORD", to activate the voice-command recording component control switch (page 16); and "also to access the cellular radio telephone" by speaking live the command words "RECORD AND TRANSMIT", "also" to activate the voice-command control switch of the cellular telephone.

Claim 28, though broader, also embraces this mode of operation.

This feature of simultaneous operation of an entertainment deck component and relaying of the component output also over the cellular telephone, is also described as effectable with other entertainment deck components such as the deck tape player component:

"playback of the recorded tape with automatic modulation of the cellular telephone transmitting circuitry". (page 11).

Again, this requires the driver to speak a pre-designated word(s) command to the voice-control switch of the play back component to activate the same, and "also" with provision to correspondingly voice-command- actuate the cellular telephone voice-control switch if this feature is desired.

And, as a further example, the same feature for the AM/FM entertainment deck radio component output:

"to enable automatic combination with the now totally separately functioning cellular radio telephone system C to permit transmission of the same to a remote location(s)...Suchcan also be extended to the 'messages' in the form of the received programs on the vehicle AM/FM radio receiver". (Page 8).

No such concept is even hinted at, let alone disclosed, in any possible combination of the references.

Claim 28, amended slightly to obviate redundancy, is thus clearly allowable in the recitation of the accessing of "a predetermined component of the entertainment deck and also to access the cellular radio telephone" through use of "voice-controlled switching means programmed with a plurality of predesignated voice commands for operation of *said predetermined component and also of the cellular radio telephone*". (Not dealing just with the telephone as in Dubus). The claim continues with the "voice-controlled switching means being responsive to said driver speaking such predesignated voice commands *live at said steering wheel region* for thereupon effecting the activating of the *corresponding* control switch"--component and telephone (again, not taught in Dubus as above shown).

Claim 23 has precisely these same limitations of claim 28, definitive over Dubus, and being specific to "storage medium player and dictation recorder components", as do Claim 33, Claim 35, and Claim 36, all specific to the recorder REC and player PL entertainment components, and also thus allowable. Claim 19 depends from Claim 23 and is allowable for the same reasons, adding also a switch button.

Remaining Claims 24, 29 and 34
Directed to the Cellular Telephone Only

As before stated, there is no question but that Dubus anticipates the very broad concept expressed by the Office as "a voice-controlled switching mechanism". As before described, applicants present no claims of any such broad scope.

What they do present in Claims 24, 29 and 34 is a different kind of voice-command switching response than the Dubus "voice-controlled switching mechanism".

The Dubus "mechanism" does involve the use of a vocabulary stored in a directory and pre-derived from speech of a user of a speech recognition system. In a "test on the mode of operation" (column 4, starting with line 56), the word "TELEPHONE" may be pronounced; or "a digit or a key word" may be pronounced (column 7, line 33, on) for recognition and entry. To establish telephone communication when the driver is operating the vehicle, however, there is first "validation...in a control buffer memory" and then sending "to a radio telephone keyboard 12 while observing its control process" (column 8, starting with line 57), and then, by an interposed interface 6, making "telephone connection by 'removing' the receiver" (column 9, line 3).

Applicants have evolved a much simpler and direct way of effecting the "removing of the receiver" and turning the cellular radio telephone on; namely, providing, in the words of Claim 29, a "control switch for enabling the activating and deactivating of the cellular radio telephone". Applicants further provide a "voice-controlled switching means programmed with a predesignated voice command for the operation of the cellular radio telephone". The driver, merely "by speaking such

predesignated voice command *live* at said steering wheel region", and without any of the need for directory validation, control process keyboarding or interfacing as in Dubus, causes the "voice-controlled switching means" to respond directly "to the driver speaking such a predesignated command live at the steering wheel region for thereupon effecting the activating of said control switch", which then simply activates the telephone.

Claim 29 accordingly distinguishes applicants' type of voice-command telephone accessing from that of Dubus, and is therefore believed also to be allowable. Claims 24 and 34 having similar definitive limitations are therefore also allowable.


In the event the Office does not agree with applicants' showing of allowability, entry of this amendment as simplification for purposes of appeal--and without introducing any new issue--is respectfully requested.

Reconsideration and allowance of all the claims, particularly as amended, therefore appear to be in order and are accordingly respectfully requested.

All costs incurred hereby, including for time extension(s) in the parent application, petition for which is hereby made, and the petition for revival, may be charged to the Deposit Account No. 18-1425 of the undersigned attorneys.

Respectfully submitted,

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